



# CONTRACT USER GUIDE



## How to Use the HSP37 Gases Cylinder - Related Equipment & Supplies Statewide Contract

Contract #: HSP37                      Contract Duration: 12/1/12 to 11/30/16  
MMARS #: HSP37\*                      Options to renew: None  
COMMBUYS PO #: PO PO-14-1080-1080C-1080L-00000001133  
Max End Date: 11/30/16  
Contract Manager: Peter Etzel 617-720-3397 [peter.etzel@state.ma.us](mailto:peter.etzel@state.ma.us)  
This contract contains: Prompt Payment Discounts (PPD), Supplier Diversity Program (SDP)

### Contract Summary

This contract with sole vendor Airgas Inc. covers cylinder gases, and related supplies and equipment restricted to those items that are required to utilize, work with, store or transport the gases and cylinders. The gases and gas blends may be used in medical, therapeutic, scientific, laboratory and industrial applications including welding. This Contract does **not cover**: welding equipment and supplies such as welding rods, propane used for heating, and bulk liquid oxygen. The products and services include:

- cylinder gases
- gas refilling/recertification following EPA protocols
- carbon dioxide in solid form (dry ice)
- equipment & supplies such as: regulators, manifolds, valves, flow meters, gauges, alarms, hoses, tubing fittings, gloves, goggles, face shields, and equipment repairs, maintenance, installations
- cylinder handling equipment such as: carts, trucks, wrenches, bases, stands, racks, and signage,

### Benefits and Cost Savings

- a wide variety of gases and cylinder sizes, including oxygen walkabouts
- the minimum discount for related equipment and supplies is 25% from current catalog price through 11/30/15
- no separate cylinder deposit or rental fees – cylinders remain the property of Airgas
- low gas refilling/recertification cost remains \$100 through 11/30/15, and is same as previous contract
- vendor has local, regional, and national experience and exposure

### Who Can Use This Contract?

**Applicable Procurement Law:** MGL c. 7, § 22; c. 30, § 51, § 52; 801 CMR 21.00

#### Eligible Entities:

01. Cities, towns, districts, counties and other political subdivisions
02. Executive, Legislative and Judicial Branches, including all Departments and elected offices therein;
03. Independent public authorities, commissions and quasi-public agencies
04. Local public libraries, public school districts and charter schools;
05. Public Hospitals, owned by the Commonwealth;
06. Public institutions of high education
07. Public purchasing cooperatives;
08. Non-profit, UFR-certified organizations that are doing business with the Commonwealth;
09. Other states and territories with no prior approval by the State Purchasing Agent required; and
10. Other entities when designated in writing by the State Purchasing Agent.

## Pricing and Purchase Options

### Purchase Options

Purchases made through this contract will be direct outright purchases.

*All orders placed under this contract must include the following statement: "This order is placed under Statewide Contract HSP37" Otherwise, the order will not be considered "use of a Statewide Contract" for procurement purposes. In addition it is recommended that the following language be included: "All of the terms and conditions of the Statewide Contract HSP37 are incorporated herein and made a part hereof. Conflicting or additional terms, conditions or agreements included in or attached to this form shall be considered to be superseded and void."*

### Pricing and buying details

For purchaser job aids, click here: [COMMBUYS Purchasing Job Aids](#).

General Hint - One way to find this SWC is with "Advanced Search" entering the contract number (three letters two digits) in the "Description" field.

Vendor catalogs can be searched in their Master Blanket Purchase Order (MBPO) **ONLY** if you are logged in to [COMMBUYS](#), and were assigned a "Basic Purchasing" role by your Organization Administrator. When you log in and are working under the Basic Purchasing Tab (many users will see only this tab), you can search the items in a vendors catalog under the items tab. You can use the results of your review of prices or your RFQ to create your Purchase Requisition, which will become your Purchase Order when approvals are complete.

**Massachusetts State Net Price List** is a catalog posted on COMMBUYS in the Airgas Master Blanket Purchase Order showing the net cost of nearly 300 cylinder gases. Current prices or new items added to the contract will remain fixed: December 1, 2012 to November 30, 2015. Additional gases/blends can be added throughout the life of the Contract at equivalent percent discounts

**Quotes** The purchaser must contact the Vendor on the Contract when a product is not on the Vendor's MA State Net Price List for a Quote in the form of a Net Price. The quoted and accepted price remains in effect until November 30, 2015. These additionally quoted products can be ordered from the vendor's catalog using the last line item "Cylinder gas handling equipment such as carts, trucks, wrenches, bases, stands, racks, and signage. See contract attachments for quote request procedures."

## Additional Information

**Geographic service and delivery areas** – The Contractor will be able to provide the requested service(s) throughout the Commonwealth.

### Delivery

- No Hazmat Fees will accrue to the Commonwealth.
- No Delivery Fuel or other Surcharges will be assessed to the Commonwealth.
- Normal Delivery – FOB Destination Inside Delivery – Unless stated otherwise product delivery will be at no charge with the Contractor maintaining ownership until the delivery is accepted by the purchaser. Inside delivery will include cylinders placed within a specific facility location or locations.
- Delivery Time Frame - Contractors will deliver within five (5) days of receipt of order. The Contractor will contact the purchaser with details if the original delivery time frame cannot be adhered to.
- Emergency Delivery - with approval of the purchaser, emergency deliveries can be made 7 days a week and the actual cost of the emergency delivery added to the Net Price.
- Tagging Cylinders for Delivery within a Facility - Contractors have agreed to work with a purchaser that has multiple delivery points within a facility to develop a method of "tagging" each cylinder so the facility will know to which lab or other location each cylinder goes.

## Returns

All products ordered in error by a purchaser that remain in saleable condition must be taken back by the Contractor at no charge to the purchaser provided the purchaser notifies the Contractor within 20 Calendar days of the delivery date of the error. All products shipped as a result of a Contractor's error may be returned anytime for a full credit to the purchaser.

## Specifications

- All products and services sold under the Contact will meet regulatory guidelines and any amendments therein, as promulgated under, but not limited to: FDA 21 CFR, NEOSH, OSHA Respiratory Protection Standards 29 CFR 1910.134, UL, NEMA, NFPA, DOT, EPA, ASTM, Impressed Gas Association, JCAHO, or NAMES Standards for related products.
- Cylinders will be compliant with Interstate Commerce Commission (ICC) and Department of Transportation (DOT) rules and regulations, complete with all fittings, valves and caps, in good working order and free of dirt, debris and rust.
- Purchasers may reject any delivered cylinders that show evidence of neglect or abuse or leak, which the Contractor will replace within 24 hours of notification.
- Cylinders will be maintained, tested, filled, marked, labeled and shipped in accordance with ICC and DOT regulations.
- Cylinders will be stamped with the pressurization test expiration date.
- Cylinders will be legibly marked by means of stenciling, stamping or labeling to identify the contents by the common chemical name or mixture, with lettering height no less than 1/4" and markings will not be readily removable. Each cylinder will show a legible serial number and/or bar code.
- Cylinders will show capacity contained within and be filled to the identified capacity. Cylinders will have an expiration date for the gas within when applicable.
- Medical cylinders will be labeled in accordance with USP requirements displaying accepted technical terminology, batch and control numbers, etc. Gas purity will meet USP specifications.
- Purchasers have the right to reject cylinders that are defective or cosmetically unsuitable for use within a healthcare facility.
- Non-compliance with any of the above standards is grounds for purchaser not accepting deliveries or raising questions with the Vendor and/or the OSD Contract Manager.

## Where to Find Contract Information on COMMBUYS

To find in depth Master Blanket Purchase Order (MBPO) information: on the [COMMBUYS](#), login page click on the "Contract & Bid Search" link, click the Contracts/Blankets button, enter the contract number (three letters two digits) in the Contract/Blanket Description, (if you have logged in and searching, some users will see a box labelled "Header Major Status" – if so, use the dropdown menu to select "3PS-Sent), then all users click the "Find It" button, to see the MBPO. If you see a "vCurrent" MBPO, it is historical information from the prior COMM-PASS system. Click the link you want to see. The Contract User Guide and RFR are posted with the MBPO's.

## Strategic Sourcing Team Members

Name	Organization	Email Address
Kathy Bouchard	Chelsea Soldiers' Home	<a href="mailto:KBouchard@State.MA.US">KBouchard@State.MA.US</a>
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## Vendor List and Contract information

The sole available Contractor is listed below. Supplier involvement in any of the following programs will have the appropriate three to four letter code at the end of the vendor listing. Programs include Small Business Purchasing Program (SBPP), Supply Diversity Office Certification (SDO, Formerly SOMWBA Certification), Supplier Diversity Program (SDP, Formerly AMP), Environmentally Preferable Products Program (EPP), and Prompt Pay Discount (PPD):

- **Airgas Inc.** 978-439-1456, SDP, PPD 1% within 10 days , Gail Hughes [gail.hughes@airgas.com](mailto:gail.hughes@airgas.com)  
PO-14-1080-1080C-1080L-00000001133

Detailed vendor information is available on [COMMBUYS](#), click on the "Registered Vendor Search" link.

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